

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

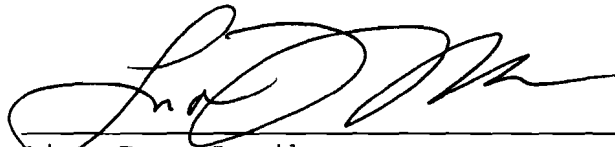
TRACY LINDSAY,)	
)	
)	
Petitioner)	
)	
vs.)	
)	
FRANK GILLIS and THE ATTORNEY)	Civil Action No. 03-837
GENERAL OF PENNSYLVANIA,)	
)	
Respondents)	Judge Joy Flowers Conti/
)	Magistrate Judge Lisa
)	Pupo Lenihan
)	
)	

MEMORANDUM ORDER

Tracy Lindsay ("Petitioner") is a state prisoner who is serving, *inter alia*, a life sentence for criminal homicide. After being granted two extensions of time, the District Attorney filed an answer to the Petition. Doc. 45. However, there are problems with the answer. According to the exhibit list attached to the answer, Doc. 45-2, there are supposed to be 39 exhibits. However, it appears that only three of the 39 exhibits were properly attached to the answer. Doc. 45-3. In addition, it appears that exhibit 3, the Superior Court opinion which granted Petitioner a new trial, was incorrectly sized, causing only the left half of the pages of the opinion to be readable. The District Attorney is hereby **ORDERED** to rectify these deficiencies by **July 30, 2006** by electronically filing the remaining exhibits and by electronically replacing the Superior Court opinion with a

legible copy. In addition, the District Attorney is **ORDERED** to cause to have delivered to this court the original state court records including, without limitation, all trial and hearing transcripts and all briefs filed in, and opinions filed by the State Appellate courts in this case. The District Attorney shall do so by July 30, 2006.

In accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(A), and Local Rule 72.1.3, the parties are allowed ten (10) days from the date of service to file an appeal from this order to the District Court. Any opposing party shall have seven (7) days from the date of service of the appeal to respond thereto. Failure to timely file an appeal may constitute a waiver of any appellate rights.



Lisa Pupo Lenihan
U.S. Magistrate Judge

Dated: *July 11, 2006*

cc: The Honorable Joy Flowers Conti
United States District Judge

Tracy Lindsay
CC-0600
SCI Coal Township
1 Kelley Drive
Coal Township, PA 17866-1021

Nancy Vernon
District Attorney's Office
61 East Main Street
Uniontown, PA 15401